

REMARKS

Reconsideration is respectfully requested.

Status of the Claims

Claims 1-4, 6-11, 14-16, 18-20, and 22-29 are currently pending, with claims 5, 12, 13, 17 and 21 having previously been canceled without prejudice or disclaimer of the subject matter therein. In this Response Applicants has amended claims 1, 2, 8, 18 and 24. No new matter is introduced. Support for the amendments may be found, for example, with reference to Applicants' published application at paragraph [0054] and [0055].

Rejections Under 35 U.S.C. §112

Claim 2 was rejected under the first paragraph of 35 U.S.C. § 112 as lacking enablement in the specification for the claimed "morphable wild symbol." By this amendment the Applicants have amend claim 2 to eliminate the reference to morphing wild symbols. Accordingly, Applicants respectfully request that the rejection of claim 2 under the first paragraph of 35 U.S.C. § 112 be withdrawn.

Objection to Drawings

The drawings are objected to under 37 C.F.R. § 1.183(a) as failing to show the morphing of a morphable wild symbol as claimed in claim 2. As noted above, claim 2 has been amended to eliminate this reference to morphing. Accordingly, Applicants respectfully request that the objection to the drawings under 37 C.F.R. § 1.183(a) be withdrawn.

Rejections Under 35 U.S.C. §103

Claims 1-4, 6, 8-11, 18-20, 22 and 24-29 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,419,579 of "Bennett", in view of newly cited U.S. Patent No. 5,766,074 of "Cannon" et al. in further view of U.S. Patent No. 6,942,572 of "Inoue," in yet further view of U.S. Patent No. 6,311,976 of "Yoseloff" in yet further view of U.S. Patent No. 6,837,790 of "Kaminkow." Claims 7, 14-17, and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bennett in view of Inoue, Yoseloff, Kaminkow and U.S. Patent No. 5,205,555 of "Hamano." As claim 17 has been canceled without prejudice or disclaimer, the rejection of claim 17 is moot. Applicants respectfully traverse the rejections of claims 1 - 4, 6 - 11, 14 - 16, 18 - 20 and 22 - 24 under 35 U.S.C. § 103(a).

One feature of the present invention is that when multiple wins are display, those wins based on a wild symbol are distinguished from wins without a wild symbol. In claim 1 this is captured by the language which states:

wherein said display module *uniquely visually differentiates* multiple wins that include a shared wild symbol from other wins, and uses a time interval to alternately change said wild symbol shared in said multiple wins to distinguish from the other types of said symbols that established said multiple wins. (emphasis added)

Support for alternately changing the wild symbol is provided in paragraph [0060] of the published application.

Similarly, claim 8 calls for:

uniquely visually differentiating at least one of:
said arrangement of said symbols including said at least one wild symbol, by which multiple wins are established in said static display, and
a win line associated with said arrangement of said symbols including said at least one wild symbol, by which said multiple wins are established; from
other wins that do not include a wild symbol. (emphasis added)

Claim 18 requires:

uniquely visually differentiating:
a win line associated with said arrangement of said symbols including said at least one optional wild symbol, by which said multiple wins are established;
and

other wins that do not include a wild symbol; (emphasis added)

Machine claim 24 calls for:

a display module that visually alters the final imagery displayed by the display module to indicate the symbols that establish multiple winning arrangements when at least two of the multiple winning arrangements of symbols are established by the shared inclusion in common of the at least one optional wild symbol, thereby ***uniquely visually differentiating*** at least one of:

said multiple winning arrangements of symbols including said at least one optional wild symbol, and

multiple win lines related to said multiple winning arrangements of symbols including said at least one optional wild symbol. (emphasis added)

Thus, all of the independent claims are limited to the concept of the invention that the recognition (by the evaluation module) of arrangements of symbols in the display areas including both normal win arrangements ("other wins") and win arrangements of symbols in which at least one symbol is a wild symbol, and in which multiple win arrangements are established by the shared inclusion of the wild symbol. The game machine further includes a display mechanism for visually differentiating the win arrangements including wild symbols from those without wild symbols.

Bennett discloses a game machine with a "Die Walker" multiplier feature. When this feature is triggered, a die appears and is moved along a path to the positions of the symbols displayed in the window of the game machine. The die functions as a wild card symbol. When the die moves to a position in which a winning combination is formed with the other symbols in the window, the win meter increments and the player is paid a prize. Bennett fails to disclose an evaluation module that distinguishes between wins that do not include a wild symbol and multiple wins that do include a common wild symbol. The Examiner also acknowledges that Bennett fails to teach Applicant's claimed display module that is operable to visually differentiate multiple winning arrangements, but suggests that this deficiency is overcome with the addition of Inoue.

The Examiner also cites Cannon, but only for the disclosure of a static array of game symbols both prior to the initiation of a game and after the conclusion. Thus, Cannon is not relevant to the wild symbol multiple win display differentiation feature.

Inoue discloses a game machine including fifteen reels arranged in five lines and three columns. When a winning position is displayed (a winning line, a winning block or a winning number of symbols), the symbols constituting the winning combinations are differentiated through the use of alternating different colors. Like Bennett, Inoue fails to disclose an evaluation module that distinguishes between wins that do not include a wild symbol and multiple wins that do include a common wild symbol. However, the Examiner in the office action (page 9) argues that Inoue distinguishes each win with a color, and thus is broad enough to disclose wild symbol multiple win display differentiation feature. While applicant does not believe this is a valid position, nevertheless the claims have been amended to call for *uniquely visually differentiating* between multiple wins with and without wild symbols. This clearly distinguishes over Inoue which makes no unique distinction for multiple wins with wild symbols.

In addition, the Examiner acknowledges that the combination of Bennett and Inoue fail to teach Applicant's claimed display module that uses a time interval to alternately change a displayed wild symbol in a win arrangement with other types of symbols that established the win arrangement. The Examiner, however, suggests that this deficiency is at least in part overcome with the addition of Yoseloff.

Yoseloff discloses a video game that provides wild symbols that morph into other game symbols within a given round of play to indicate one or more winning arrangements. In sharp contrast to Applicants' claimed game system, Yoseloff fails to disclose that the symbols morph on a continuing basis to be alternately displayed. In addition, Yoseloff fails to teach that an evaluation module uniquely distinguishes between wins that do not include a wild symbol and multiple wins that do include a common wild symbol.

The Examiner cites the Kaminkow patent for its disclosure of a vibration feature as recited for example in claim 2. As a result, Kaminkow is not relevant to the wild symbol multiple win display differentiation feature.

Thus, at least based on the wild symbol multiple win display differentiation feature, each of the independent claims 1, 8, 18 and 24 are patentable over the cited prior art.

Further, claim 2 recites that:

a display mechanism that vibrates different symbols, portions of symbols, groups of symbols, or any combination thereof of said final imagery while said final imagery is displayed

While Kaminkow does disclose vibration of an image, it generally discloses movement of the entire display screen imagery. Where it does disclose movement of a part of an image, it is not imagery of a group of symbols. For example, it references a dog on a hillside. Thus, the features of claim 2 are not disclosed by Kaminkow.

With reference to claims 7, 14 – 16 and 23, the Examiner suggests that a “multiplication factor” is disclosed in Hamano.

Hamano discloses an electronic gaming machine including an operation value display 8 which is displayed separately from a multi-line symbol field 18, 19, 20, and displays information about a single line combination N1, N2, N3 together with a token bet N, multipliers W, Z and a point award P. Multipliers W, Z are determined as a function of one or more of a single line combination, a single reel value and the token bet. Hamano does not describe the use of a multiplier in a game employing a wild symbol. Thus, unlike Applicants’ claimed game machine, Hamano fails to disclose a multiplication factor that is selected according to multiple win arrangements of the symbols as in claims 7, 14-16 and 23, but is selected instead according to a single winning combination or value. In addition, Hamano teaches away from Applicants’ claimed display module that displays a multiplication factor in combination with a wild symbol and other alternately-displayed types of game symbols in a final imagery that indicates the multiple win arrangements. Applicants’ claimed approach provides an advantage over the display 8 of Hamano by alerting the player of the multiple win arrangements and bonus awarded according to the multiplication factor directly on a single, multi-line playing field. This deficiency is not overcome with the addition of the other cited references.

Accordingly, for at least the above-stated reasons, Applicants respectfully submit that amended independent claims 1, 8, 18 and 24 are not obvious in view of the cited references and are

in condition for allowance. The dependent claims are also allowable because of their dependence from the independent claims. Further claim 2 is additionally patentable because of its vibration limitation. Also, claims 7, 14-16 and 23 are further patentable because of their multiplier limitation.

Therefore, Applicants respectfully request that the rejections of claims 1 - 4, 6 - 11, 14 - 16, 18 - 20 and 22 - 29 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the foregoing, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

It is believed that no fee is required for these submissions. Should the U.S. Patent and Trademark Office determine that additional fees are owed or that any refund is owed for this application, the Commissioner is hereby authorized and requested to charge the required fee(s) and/or credit the refund(s) owed to our Deposit Account No. 50-4570.

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Respectfully submitted,

By 

Melvin C. Garner

Registration No.: 26,272

LEASON ELLIS LLP,

81 Main Street

White Plains, New York 10601

(914) 821-8005

(914) 288-0023 (Fax)

Attorneys/Agents For Applicant